

Message Text

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ACTION NODS-00

INFO OCT-01 ISO-00 /001 W
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O 232055Z JAN 78
FM AMCONGEN JERUSALEM
TO SECSTATE WASHDC IMMEDIATE 089
INFO AMEMBASSY CAIRO IMMEDIATE
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S E C R E T SECTION 1 OF 3 JERUSALEM 0217

EXDIS (HANDLE AS NODIS)

FOR THE SECRETARY

FROM ATHERTON, USDEL 006

E.O. 11652: GDS
TAGS: PGOV, IS, US
SUBJECT: MEETING WITH FOREIGN MINISTER DAYAN -- JANUARY 23

1. SUMMARY. HAD A VERY GOOD HOUR AND ONE-HALF MEETING WITH DAYAN THIS MORNING. DAYAN WAS IN EXCELLENT FORM AND SHOWED CONSIDERABLE RECEPTIVITY TO IDEAS FOR BRIDGING THE GAPS. HE THOUGHT AGREEMENT COULD BE REACHED ON ALL POINTS IN THE DRAFT DECLARATION EXCEPT PARAGRAPH ON WEST BANK/ GAZA/PALESTINIAN PROBLEM (PARA. 5); WHILE HE UNDERTOOK TO CONSIDER WAYS OF MARRYING PARAGRAPHS 5(A) AND (B), HE THOUGHT IN THE END THE ANSWER MIGHT BE FOR PARTIES TO STATE THEIR POSITIONS SEPARATELY. DAYAN WAS VERY INTERESTED IN KNOWING WHERE SADAT IS HEADED AND SPECIFICALLY WHETHER SADAT WOULD INSIST ISRAEL REACH AGREEMENT WITH SYRIA, PALESTINIANS AND JORDAN BEFORE EGYPTIAN-ISRAELI AGREEMENT IS CONCLUDED. HE CLEARLY SEES ANSWER TO THIS QUESTION AS BEARING FUNDAMENTALLY ON HOW FAR ISRAEL SHOULD GO IN TRYING TO MEET SADAT'S CONCERNS RE SINAI. REGARDING

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RESUPTION OF POLITICAL COMMITTEE TALKS, DAYAN SAID HE THOUGHT BEST SOLUTION MIGHT BE TO RECONVENE ON PATTERN OF KILOMETER 101 TALKS AT SOME PLACE IN AREA BETWEEN THE TWO SIDES. IN ALL OF THIS, DAYAN EMPHASIZED THAT HE WAS SPEAKING INFORMALLY AND WITHOUT HAVING CONSULTED THE PRIME MINISTER. I MADE CLEAR THAT THIS WAS HOW WE VIEWED THE MEETING ALSO, SINCE I HAD NO INSTRUCTIONS

TO PUT FORWARD SPECIFIC FORMULATIONS AND IN ANY EVENT WE WERE STILL WAITING FOR WORD AS TO WHETHER SADAT WANTS TO PURSUE TALKS ON THE DECLARATION OF PRINCIPLES THROUGH OUR GOOD OFFICES. END SUMMARY.

2. PRESENT AT MEETING IN ADDITION TO DAYAN WERE EVRON, BARAK, ROSENNE, LOVIE AND RUBENSTEIN, AND ON OUR SIDE MYSELF, LEWIS, STERNER, KORN AND SHERMAN.

3. DAYAN SAID HE WANTED TO HAVE A PURELY INFORMAL EXCHANGE OF THOUGHTS. WHILE INDICATING THERE WERE CERTAIN POINTS IN THE DECLARATION OF PRINCIPLES ON WHICH HE HAD FIRM INSTRUCTIONS FROM BEGIN, FOR THE MOST PART HE WANTED TO EXPLORE THE ISSUES WITHOUT COMMITMENT AND TO SEE WHAT WE MIGHT COME UP WITH. I SAID WE WANTED TO PROCEED IN EXACTLY THE SAME WAY. I DID NOT HAVE SPECIFIC INSTRUCTIONS FROM THE SECRETARY ON FORMULATIONS TO PRESENT FOR THE DRAFT DECLARATION, AND WE WERE STILL WAITING TO HEAR FROM SADAT WHETHER HE WANTED TO PURSUE DISCUSSION OF THE DRAFT DECLARATION THROUGH U.S. GOOD OFFICES. DAYAN ASKED WHEN WE EXPECTED TO HEAR FROM SADAT. I SAID WE HAD NO WAY OF KNOWING, BUT OBVIOUSLY UNTIL WE DO ANY TALKS WE HAVE WITH THE GOI ON THIS SUBJECT WILL HAVE TO BE ENTIRELY INFORMAL AND EXPLORATORY.

4. I BEGAN MEETING BY GIVING DAYAN A COPY OF THE DRAFT
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DECLARATION THAT WE DID FOLLOWING YOUR LAST MEETING WITH BEGIN AND WHICH YOU GAVE TO SADAT. I NOTED THAT PARAGRAPH ONE WAS UNCHANGED AND THAT PARAGRAPH TWO WAS ALSO UNCHANGED EXCEPT THAT THE FINAL CLAUSE ON "A JUST SOLUTION OF THE PALESTINIAN PROBLEM" HAD BEEN TAKEN OFF AND MADE A SEPARATE PARAGRAPH, I.E., PARAGRAPH 3. RE PARAGRAPH 2, BARAK SAID BEGIN STILL PREFERS REPLACING "IN FULFILLMENT OF" WITH "ON THE BASIS OF" ALL THE PRINCIPLES OF UNITED NATIONS SECURITY COUNCIL RESOLUTION 242. BARAK AND ROSENNE ALSO NOTED THAT BEGIN HAD NOT AGREED TO THE PHRASE "PALESTINIAN PROBLEM" IN PARAGRAPH 3; ISRAELI FORMULATION IS "PROBLEM OF THE PALESTINIAN ARABS." DAYAN REMARKED THAT HE REALLY DID NOT SEE THE DIFFERENCE, AND HE HOPED NEGOTIATIONS WOULD NOT BE ALLOWED TO DEADLOCK OVER A POINT OF THIS TYPE. RE PARAGRAPH 4 AND BRACKETED PARAGRAPH 5, BARAK AND ROZENNE SAID ISRAELI POSITION WAS THAT BRACKETED 5 SHOULD BE REMOVED AND BRACKETS AROUND THE SECOND SENTENCE OF 4 SHOULD BE REMOVED.

5. AFTER IT WAS NOTED THAT PARAGRAPH 6 IS UNCHANGED AND AGREED BY BOTH SIDES, DAYAN SAID HE THOUGHT THERE WERE NO MAJOR PROBLEMS EXCEPT 5. HE SUGGESTED WE

CONCENTRATE ON 5 AND LEAVE OTHERS ASIDE. TO START WITH, DAYAN SAID, LET US AGREE THAT SINCE THE DECLARATION IS BEING DRAFTED IN ENGLISH AND THE TERM "WEST BANK" IS THE OFFICIAL AMERICAN TERM, LET US USE THAT TERM. FOR ITS OWN HEBREW VERSION ISRAEL WOULD USE THE WORDS "JUDEA AND SAMARIA" BUT IN THE OFFICIAL ENGLISH VERSION "WEST BANK" WOULD BE USED.

6. RE 5(B) DAYAN REITERATED THAT "THERE IS NO WAY" ISRAEL CAN AGREE TO THE PHRASE "LEGITIMATE RIGHTS." PHRASE "IN ALL ITS ASPECTS" ("THERE SHALL BE A JUST SOLUTION OF THE PALESTINIAN PROBLEM IN ALL ITS ASPECTS") IS ALSO UNACCEPTABLE, DAYAN SAID. I ASKED WHAT THE REASON WAS FOR THE ISRAELI OBJECTION TO THIS WORDING. BARAK SAID PUTTING "IN ALL ITS
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ASPECTS" IN PARAGRAPH 5 WOULD MEAN RECOGNIZING RIGHT OF PALESTINIAN REFUGEES TO RETURN TO ISRAEL ALSO TO PARTICIPATE IN DETERMINATION OF FUTURE OF WEST BANK/GAZA.

7. DAYAN SAID IF THE PARTIES COME TO A POINT THAT CAN'T BE

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TO SECSTATE WASHDC IMMEDIATE 090
INFO AMEMBASSY CAIRO IMMEDIATE
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EXDIS (HANDLE AS NODIS)

FOR THE SECRETARY

FROM ATHERTON, USDEL 006

BRIDGED, THE SOLUTION MIGHT BE FOR EACH TO USE ITS OWN LANGUAGE SEPARATELY IN SOME LIMITED WAY. FOR EXAMPLE, ISRAEL COULD USE "PALESTINIAN ARABS" AND EGYPT "PALESTINIANS," THOUGH DAYAN REITERATED HE PERSONALLY DID NOT SEE MUCH DIFFERENCE BETWEEN THE TWO. THE THREE PHRASES IN PARAGRAPH 5(B) THAT ARE NOT ACCEPTABLE TO ISRAEL, DAYAN SAID, ARE "LEGITIMATE RIGHTS," "IN ALL ITS ASPECTS" AND "PALESTINIAN PEOPLE." ROSENNE SUBSEQUENTLY ADDED THAT THE WORD "OWN" - IN "PARTICIPATE IN THE DETERMINATION OF THEIR OWN FUTURE..." - IS ALSO NOT ACCEPTABLE. UPON OUR RAISING POINT, ISRAELIS AGREED TO MOVE PARTIALLY TO FORMULATION OF (B) IN LATTER PART OF PARAGRAPH; IT WOULD READ "...THROUGH TALKS IN WHICH EGYPT, JORDAN, ISRAEL AND REPRESENTATIVES OF THESE PALESTINIAN ARABS WOULD PARTICIPATE."

8. DAYAN SAID IT IS VERY IMPORTANT TO ISRAEL TO KNOW WHAT SADAT HAS IN MIND NEXT. "WHAT DOES HE PLAN TO DO AFTER AGREEMENT IS REACHED ON THE DECLARATION OF PRINCIPLES?"

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EGYPTIANS WANT WEIZMAN TO GO TO CAIRO FOR THE MILITARY COMMITTEE MEETING, DAYAN SAID, BUT SADAT SAYS NO SEPARATE AGREEMENT. WHAT, HE ASKED, IS THE POINT OF DISCUSSIONS IN THE MILITARY COMMITTEE IF SADAT INSISTS ON TOTAL WITHDRAWAL FROM GOLAN AND WEST BANK?. DAYAN CONTINUED IN THIS VEIN FOR SOME TIME, MAKING THE POINT THAT IF ONLY SINAI WERE INVOLVED HE FELT THAT AGREEMENT COULD BE REACHED. BUT, HE ASKED, IF WE REACH AGREEMENT ON SINAI WILL SADAT THEN SAY FINE, NOW GO GET AGREEMENT WITH SYRIA, JORDAN AND THE PALESTINIANS? DAYAN WAS VERY CLEARLY SAYING THAT HE WOULD BE PREPARED TO BE MUCH MORE FLEXIBLE ON SINAI IF COULD GET A SEPARATE AGREEMENT. "HOW CAN ISRAEL MAKE CONCESSIONS ON SINAI IF IT CAN'T GET A SEPARATE AGREEMENT" HE ASKED? DAYAN SAID THAT FOR HIM THIS WAS THE KEY POINT AND OTHERWISE THE WORK ON THE DECLARATION OF PRINCIPLES SEEMED "SENSELESS," ALTHOUGH HE ACKNOWLEDGED THIS WOULD NOT BE THE CASE IF HUSSEIN COULD BE GOTTEN TO JOIN THE TALKS ON THE BASIS OF THE DECLARATION ABOUT WHICH HE REMAINS SKEPTICAL.

9. I SAID WE BELIEVE SADAT WANTS A COMPREHENSIVE SETTLEMENT. AT THE START HE WANTED THE DECLARATION OF PRINCIPLES AS A BASIS FOR FREEING HIMSELF TO NEGOTIATE ON AN EGYPTIAN-ISRAELI AGREEMENT. WHETHER HE STILL FEELS THAT WILL BE SUFFICIENT IS NOT CLEAR; WE WILL HAVE TO WAIT AND SEE. I ADDED THAT SADAT HAD RECENTLY SHOWN INTEREST IN AN EGYPTIAN-ISRAELI TREATY WHICH COULD BE A MODEL FOR A COMPREHENSIVE SETTLEMENT.

10. DAYAN SAID THERE WAS ANOTHER POSSIBILITY THAT MIGHT BE CONSIDERED. THIS IS JUST A THOUGHT, HE SAID, AND HE HAD NOT DISCUSSED IT WITH THE PRIME MINISTER. IF THERE IS NO SEPARATE AGREEMENT OR GENERAL PEACE IT WILL BE
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IMPORTANT FOR SADAT TO KNOW THAT HE COULD AVOID A MILITARY CLASH WITH ISRAEL. THIS COULD BE SADAT'S REASON FOR CONTINUING WORK IN THE MILITARY COMMITTEE, I.E., TO HAVE A MODEL FOR A MILITARY AGREEMENT, AN UNDERSTANDING ON WHERE FORCES WOULD BE LOCATED SO THAT HE COULD REDUCE THE SIZE OF HIS ARMY AND RE-EQUIP IT. IN THIS CONNECTION, DAYAN MENTIONED THAT SADAT HAD SAID AT ISMAILIYA THAT HE WOULD LIKE TO REDUCE THE SIZE OF HIS ARMY AND CONCENTRATE FOR THE NEXT FEW YEARS ON RE-EQUIPPING AND MODERNIZING HIS FORCES. HE HAD SAID ALL HE WANTED IN SIANIA WAS ONE BRIGADE. DAYAN SAID AN AGREEMENT ON FORCE REDUCTIONS IS NOT ISRAEL'S IDEA AND HE (DAYAN) WOULDN'T PROPOSE IT. ISRAEL IS STILL IN FAVOR OF A COMPREHENSIVE SETTLEMENT, BUT IT WOULD BE GOOD TO KNOW WHERE SADAT IS HEADED. I REITERATED THAT WE SEE NO INDICATION SADAT IS THINKING OF ANYTHING BUT A COMPREHENSIVE PEACE. DAYAN ASKED IF I THOUGHT SADAT WOULD MAKE A SEPARATE AGREEMENT. I REPLIED THAT SADAT HAD NEVER SAID HE WOULD. IT WAS DIFFICULT TO MAKE A JUDGMENT ON HOW FAR SADAT MIGHT GO IN THAT DIRECTION, BUT IN ANY EVENT SADAT NEEDS SOMETHING TO PRESENT TO THE OTHER ARABS. HE STARTED OUT THINKING THAT THE DECLARATION OF PRINCIPLES WOULD SERVE THAT PURPOSE, AND HE STILL ATTACHES IMPORTANCE TO HUSSEIN'S JOINING THE NEGOTIATIONS. DAYAN OBSERVED THAT IT WOULD BE BETTER TO HAVE ANSWERS TO THE QUESTIONS HE HAD POSED BUT EVEN WITHOUT THEM ISRAEL WOULD GO ON WITH THE NEGOTIATIONS.

11. DISCUSSION THEN RETURNED TO THE DECLARATION OF PRINCIPLES, AND BARAK RAISED THE POINT THAT IT SHOULD BE CLEAR TO US THAT ISRAELI ACCEPTANCE OF THE LANGUAGE ON PARTICIPATING IN DETERMINATION OF THEIR FUTURE DOES NOT COMMIT ISRAEL TO HOLDING A PLEBISCITE. I SAID WE UNDERSTAND ISRAEL'S POSITION ON THIS, BUT IT SHOULD ALSO BE UNDERSTOOD THAT DISCUSSION OF A
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PLEBISCITE IS NOT EXCLUDED FROM THE AGENDA OF THE TALKS

AMONG JORDAN, EGYPT, ISRAEL AND PALESTINIAN REPRESENTATIVES. DAYAN AGREED THIS WAS NOT EXCLUDED. DAYAN WARNED AGAINST PUSHING TOO HARD ON THE QUESTION OF SOVEREIGNTY; IT SHOULD BE CLEAR THAT WHAT ISRAEL IS READY TO TALK ABOUT IS THE STATUS OF THE PEOPLE NOT TERRITORY. DAYAN AND BARAK SUGGESTED LANGUAGE BE INSERTED IN PARAGRAPH 3 TO MAKE THIS CLEAR, E.G., REFERENCE TO THE "PROBLEM OF THE PALESTINIANS" RATHER THAN THE "PALESTINIAN PROBLEM." I SAID THIS WOULD INTRODUCE A WHOLE NEW SET OF COMPLICATIONS WHICH I WOULD RATHER NOT HAVE TO RAISE WITH THE EGYPTIANS. DAYAN TOOK THE POINT.

12. I SAID THERE WAS ONE SUGGESTION I WANTED TO MAKE OFF THE TOP OF MY HEAD AND ON MY OWN. WE RECOGNIZE THAT

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FM AMCONGEN JERUSALEM
TO SECSTATE WASHDC IMMEDIATE 091
INFO AMEMBASSY CAIRO IMMEDIATE
AMEMBASSY TEL AVIV IMMEDIATE

S E C R E T SECTION 3 OF 3 JERUSALEM 0217

EXDIS (HANDLE AS NODIS)

FOR THE SECRETARY

FROM ATHERTON USDEL 006

ISRAEL HAS PROBLEMS WITH "LEGITIMATE RIGHTS" BUT IF ISRAELIS COULD FIND A WAY TO BRING THE WORD "RIGHTS" INTO PARAGRAPH 5, IT WOULD BE MORE PALATABLE TO THE ARABS. FOR EXAMPLE, PERHAPS 5(A) COULD SAY THE PALESTINIANS WILL HAVE THE RIGHT TO PARTICIPATE IN THE DETERMINATION OF THEIR FUTURE. DAYAN SEEMED INTERESTED IN THIS IDEA, AND THOUGH HIS ADVISORS CLEARLY WERE NOT ENTHUSIASTIC ABOUT THE SPECIFIC FORMULA I HAD PROPOSED, HE SAID HE WOULD CONSIDER WAYS TO ACCOMMODATE

THE WORD "RIGHTS" IN SOME WAY IN PARAGRAPH 5.

13. I ASKED DAYAN IF I COULD HAVE HIS VIEWS ON
POSSIBILITY OF SETTING UP A WORKING GROUP OR SUB-
COMMITTEE ON A COMPREHENSIVE MODEL TREATY SO THAT THIS
COULD BE DISCUSSED WITH SADAT AT THE APPROPRIATE TIME,
ASSUMING SADAT AGREES TO CONTINUE NEGOTIATIONS THROUGH
US. DAYAN EXPRESSED AGREEMENT TO IDEA OF A SUB-
COMMITTEE BUT SAID THE PROBLEM IS WHERE IT WOULD
CONVENE, OR FOR THAT MATTER WHERE THE POLITICAL
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COMMITTEE WOULD RECONVENE. HE DID NOT LIKE THE IDEA OF
A NEUTRAL CAPITAL BUT RECOGNIZED THAT IT WOULD BE VERY
DIFFICULT FOR THE EGYPTIANS TO RETURN TO JERUSALEM.
DAYAN SAID HIS INCLINATION IS TO GO BACK TO SOMETHING
LIKE KILOMETER 101; PERHAPS SOME HALFWAY POINT IN
SINAI WOULD DO. HOWEVER, IF POLITICAL COMMITTEE WERE TO
MEET THERE, MILITARY COMMITTEE SHOULD ALSO BE THERE.

14. REFERRING SPECIFICALLY TO
THIS PROBLEM, BUT ALSO TO THE OVERALL NEGOTIATION
SITUATION, DAYAN SAID HE THOUGHT THE ONLY WAY TO
BRIDGE THE GAP WOULD BE TO HAVE AN AMERICAN PROPOSAL.
EVRON SUGGESTED THE SINAI FIELD MISSION HEADQUARTERS
WAS A POSSIBLE SITE.

15. IN CLOSING I REITERATED THAT WE ARE STILL
WAITING TO HEAR FROM SADAT. EILTS HAD SEEN MUBARAK YES-
TERDAY AND MUBARAK HAD UNDERSTOOD NEED TO GET US AN
ANSWER AS SOON AS POSSIBLE. UNTIL THEN IT IS VERY
IMPORTANT THAT NOTHING BE SAID THAT WOULD SEEM TO PRE-
JUDGE SADAT'S DECISION OR APPEAR TO BE AIMED AT FORCING
HIS HAND.

16. BEFORE LEAVING I HAD A FEW WORDS WITH DAYAN TO
EXPRESS HOPE THAT PRIME MINISTER'S SPEECH IN THE KNESSET
WOULD NOT ESCALATE AND, IF POSSIBLE, BEGIN TO WIND
DOWN THE LEVEL OF RHETORIC.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLITICAL SETTLEMENT, MEETING REPORTS, PEACE PLANS, NEGOTIATIONS, CAT-B
Control Number: n/a
Copy: SINGLE
Draft Date: 23 jan 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978JERUSA00217
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: n/a
Expiration:
Film Number: P840163-2719, N780002-0040
Format: TEL
From: JERUSALEM
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780134/aaaabcwz.tel
Line Count: 376
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b80125e1-c288-dd11-92da-001cc4696bcc
Office: ACTION NODS
Original Classification: SECRET
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: NODIS
Page Count: 7
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: NODIS
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 01 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3732077
Secure: OPEN
Status: <DBA CHANGED> MCM 20040618
Subject: MEETING WITH FOREIGN MINISTER DAYAN -- JANUARY 23
TAGS: PGOV, PBOR, IS, US, XF, (DAYAN, MOSHE)
To: STATE SS MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/b80125e1-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014